

# MEMORANDUM ENDORSED

## Federal Defenders OF NEW YORK, INC.

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### BY ECF

Honorable Gregory H. Woods  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: United States v. Cesar Espinoza,  
19 Cr. 641 (GHW)**

Dear Judge Woods:

I write in advance of the conference scheduled for April 7, 2020, to advise the Court that the parties expect to resolve this matter by the plea agreement attached hereto as **Exhibit A**. In light of the ongoing coronavirus pandemic, I request that the Court adjourn the April 7 conference, refer this matter for a pre-sentence investigation report, and set a date for a combined plea and sentencing proceeding. The government consents to this request.

The Probation Department is able to conduct pre-sentence interviews telephonically during this crisis, and ordering the PSR now will allow the Court to conduct the plea and sentencing on the same date. That will minimize the number of in-person court appearances and mitigate the risk that Mr. Espinoza, whose stipulated Guidelines range is 0–6 months, may develop COVID-19 if he were remanded between plea and sentencing. (Both MCC and MDC are crowded facilities with few doctors and multiple confirmed coronavirus cases.)

Respectfully submitted,

/s/


Clay H. Kaminsky  
Assistant Federal Defender  
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cc: AUSA Nicholas Bradley

Application denied without prejudice. This application for an adjournment does not comply with the Court's Individual Rule 2(E). The application may be renewed in conformity with that rule. To the extent that there is an application for the exclusion of time, counsel is required to submit a proposed order to implement the exclusion of time in accordance with that rule.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 26.

SO ORDERED  
March 31, 2020

  
GREGORY H. WOODS  
United States District Judge